

Calendar No. 940

110TH CONGRESS
2D SESSION

S. 2700

[Report No. 110–445]

To amend the Oil Pollution Act of 1990 to double the liability limits for single-hull tankers and tank bargers for 2009, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2008

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

AUGUST 22 (legislative day, AUGUST 1), 2008

Reported under authority of the order of the Senate of August 1, 2008, by
Mrs. BOXER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Oil Pollution Act of 1990 to double the liability limits for single-hull tankers and tank bargers for 2009, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INCREASED SINGLE-HULL LIABILITY LIMITS**
 2 **FOR 2009.**

3 Section 1004(a)(1)(A) of the Oil Pollution Act of
 4 1990 (33 U.S.C. 2704) is amended to read as follows:

5 “(A) with respect to a single-hull vessel,
 6 including a single-hull vessel fitted with double
 7 sides only or a double bottom—

8 “(i) only \$3,000 per gross ton, if the
 9 incident for which liability is imposed
 10 under section 1002 occurs before January
 11 1, 2009; and

12 “(ii) only \$6,000 per gross ton, if the
 13 incident for which liability is imposed
 14 under section 1002 occurs after December
 15 31, 2009, and before January 1, 2010;”.

16 **SECTION 1. INCREASED SINGLE-HULL LIABILITY LIMITS.**

17 Section 1004(a)(1) of the Oil Pollution Act of 1990 (33
 18 U.S.C. 2704(a)(1)) is amended by striking subparagraph
 19 (A) and inserting the following:

20 “(A) with respect to a single-hull vessel, in-
 21 cluding a single-hull vessel fitted with double
 22 sides only or a double bottom—

23 “(i) \$3,000 per gross ton, if the inci-
 24 dent for which liability is imposed under
 25 section 1002 occurs after the date of enact-

1 *ment of this clause and before January 1,*
2 *2009;*

3 *“(ii) \$6,000 per gross ton, if the inci-*
4 *dent for which liability is imposed under*
5 *section 1002 occurs after December 31,*
6 *2008, and before January 1, 2010; and*

7 *“(iii) the maximum amount allowable,*
8 *consistent with the substantive due process*
9 *requirements of the Fifth Amendment to the*
10 *United States Constitution, if the incident*
11 *for which liability is imposed under section*
12 *1002 occurs after December 31, 2009;”.*

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